IN THE HIGH COURT OF JUDICATURE
ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION NO :16245 of 1998

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Dated: 19th June 2007.

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Between:

L.V.V.Satyanarayana Murthy S/o L.Sri Rama Murthy, aged 57 years, Occ: Dy.Ex.Engineer (W), Engg Sub-Division, Thirupathi.

..... PETITIONER

AND

Acharya N.G. Ranga Agricultural University, Rep.by its Registrar, Ragendernagar, Hyderabad.

.....RESPONDENT

THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

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W.P.NO.16245 OF 1998

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ORAL ORDER:

The original writ petitioner, while working as a Deputy Executive Engineer with the respondent-University, has been served with notice dated 08-09-1997, pointing out that he would be retiring from service on attaining the age of superannuation of 58 years on the afternoon of
30-06-1998. The writ petitioner claimed that since he is working as a technical person with the respondent-University, he is entitled to go up to the age of 60 years for retirement and he cannot be asked to retire at the age of 58 years.

Finding, *prima facie,* case in his favour, the writ petitioner has been permitted to continue in service up to the age of 60 years, by an order passed on 26-06-1998. Consequently, the writ petitioner continued in service in the respondent-University till 30-06-2000 and retired. During this two-year period of his service to the respondent-University, he had been paid the salary and allowances. He had also been paid all his terminal benefits and dues, restricting the said claims up to the age of 58 years, pending adjudication of the issue, but, unfortunately, in the mean time, the writ petitioner died.

Therefore, it is urged that the cause in the writ petition does not survive for further adjudication.

Hence, the writ petition is dismissed. No costs.

Nooty Ramamohana Rao, J

mrk

19th June 2007.